

Message Text

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SUBJ: NEW PRESS DECREES

REF: LIMA 6183

1. THE PRINCIPAL FEATURES OF THE PRESS LAWS PROMULGATED ON JULY 27 ARE REPORTED HEREIN. UNDER THESE LAWS, PERU'S INDEPENDENT DAILIES HAVE BEEN EXPROPRIATED AND ARE TO BE TURNED OVER TO "ORGANIZED SECTORS OF SOCIETY", E.G., THE PROFESSIONS, CULTURAL GROUPS, THE EDUCATIONAL COMMUNITY INCLUDING STUDENTS AND THEIR PARENTS, FARMER ORGANIZATIONS AND LABOR COMMUNITIES. UNDER THE NEW LAW, ANY NEWSPAPER WITH A CIRCULATION OVER 20,000 OR RECEIVING WIDE NATIONAL DISTRIBUTION CANNOT BE OWNED PRIVATELY.

2. DECREE LAW 20680, THE PRESS STATUTE. THIS NEW STATUTE REPLACES THE 1969 "FREEDOM OF THE PRESS STATUTE", DECREE LAW 18075. THE NEW LAW'S PREAMBLE STATES THAT "THE FUNDAMENTAL GOAL OF THE PERUVIAN REVOLUTION, INDEED ITS REASON FOR BEING, IS TO REPLACE THE TRADITIONAL SOCIETY, (WHICH WAS) BASED ON THE ALIENATION OF THE NATIONAL MAJORITIES, WITH A NEW MODEL BASED ON THE REAL EXERCISE OF SOCIAL POWER BY THE ORGANIZED POPULATION; ... IT IS NECESSARY FOR THE MASS MEDIA TO CONTRIBUTE ACTIVELY. ... TO THE TASK OF BUILDING OF A FREE SOCIETY; ... IT BEING INDISPENSABLE THAT THE PUBLICATIONS

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WHICH MOST INFLUENCE THE FORMATION OF A NATIONAL CONSCIENCE

CEASE TO BE THE SPOKESMEN AND DEFENDERS OF MINORITY INTERESTS; ... IT BEING EQUALLY NECESSARY THAT THE PRESS NOT BECOME AN INTEGRAL PART OF A STATE MONOPOLY; . . . THAT, ON THE CONTRARY, IT BEING INDISPENSABLE THAT THE PRESS BECOME PUBLICATIONS THROUGH WHICH THE SIGNIFICANT SECTORS OF THE ORGANIZED POPULATION. . . ARE ABLE TO EXPRESS, WITH FULL FREEDOM AND INDEPDENCE, THEIR ASPIRATIONS, NEEDS, POINTS OF VIEW AND CRITICISM; ARE ABLE TO REPRESENT DIFFERENT IDEOLOGICAL POSITIONS WITHIN THE PARAMETERS OF THE PERUVIAN REVOLUTION."

3. ARTICLE 1 RECOGNIZES, RESPECTS AND GUARANTEES THE RIGHT OF THE PRESS TO INFORM AND OPINE FREELY.

4. ARTICLE 4 STATES THAT THE WRITTEN PRESS WILL NOT BE TAKEN OVER BY THE GOVERNMENT ALTHOUGH THE STATE MAY OWN ONE OR MORE NEWSPAPERS IN ORDER TO PRESENT AND DEFEND PUBLIC POLICIES.

5. ARTICLE 6 DECLARES THAT A DAILY WILL BE CONSIDERED NATIONAL WHEN ITS CIRCULATION EXCEEDS 20,000 COPIES OR IS DISTRIBUTED IN HALF OF THE PROVINCIAL CAPITALS.

6. ARTICLE 7 SAYS THAT THE NATIONAL DAILIES WILL CONSTITUTE VEHICLES OF EXPRESSION BELONGING TO THE REPRESENTATIVE BODIES OF THE ORGANIZED SECTORS OF THE POPULATION.

7. UNDER ARTICLE 8, NEWSPAPERS OR PUBLICATIONS WHICH DO NOT FALL UNDER ARTICLE 6 WILL CONTINUE UNDER THEIR PRESENT OWNERSHIP, SUBJECT TO THE APPLICABLE PROVISIONS OF THIS LAW.

8. ARTICLE 15 REQUIRES THE PRESS TO PUBLISH GOVERNMENT COMMUNIQUEs, PROMPTLY AND ON PAGES ONE OR TWO.

9. ARTICLE 16-19 STATE THAT ANY PERSON OR ORGANIZATION WHICH FEELS INJURED BY A WRITTEN OR GRAPHIC STORY OR EDITORIAL WILL HAVE THE RIGHT TO HAVE A RECTIFICATION PUBLISHED IN THE SAME SPACE AS THE ORIGINAL INFORMATION. THE RECTIFICATION CANNOT BE LONGER THAN THE ORIGINAL STORY AND THE NEWSPAPER IS BARRED FROM COMMENTING ON THE RECTIFICATION IN THE SAME ISSUE.

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10. ARTICLE 22. THE NATIONAL DAILIES ARE TO BE SELF-FINANCED, SELF-SUSTAINING ORGANISMS.

11. ARTICLE 23. EACH POPULAR SECTOR REPRESENTED BY A NEWSPAPER IS TO FORM AN ASSOCIATION TO WHICH ITS NEWSPAPER WILL BE ASSIGNED.

12. UNDER ARTICLE 25, EACH NEWSPAPER WILL BE RUN BY A MANGEMENT

COUNCIL MADE UP OF THE PAPER'S DIRECTOR, TWO MEMBERS OF ITS LABOR COMMUNITY, AND SECTOR (OWNERSHIP) REPRESENTATIVES. THE MANAGEMENT COUNCIL WILL DETERMINE THE NEWSPAPER'S ORIENTATION, WHICH MAY REPRESENT MORE THAN ONE LINE OF THOUGHT.

13. ARTICLE 29 STATES THAT ONLY NATIVE-BORN PERUVIANS MAY OWN PRESS ORGANS. (THIS WILL NOT APPARENTLY AFFECT THE ENGLISH LANGUAGE PERUVIAN TIMES, WHICH HAS PERUVIAN OWNERS.)

14. ARTICLE 32 PROHIBITS NEWSPAPER COMPANIES FROM ENGAGING IN OTHER FORMS OF BUSINESS.

15. ARTICLE 38 PROVIDES FOR FINES OF \$25 TO \$125 FOR CLANDESTINE PUBLICATIONS, I.E. PUBLICATIONS WHICH DO NOT MEET THE TERMS OF THIS LAW.

16. ARTICLE 40 CITES A SERIES OF NEWSPAPER OFFENSES AND PUNISHMENTS. THE STIFFEST PENALTIES ARE RESERVED FOR THOSE WHO OFFEND THE DIGNITY OF HIGHGOVERNMENT OFFICIALS; THE GUILTY PARTY RECEIVES AT LEAST ONE YEAR IN PRISON.

17. ARTICLE 47 GIVES THE STATES THE RIGHT TO BAN FOREIGN PUBLICATIONS.

18. DECREE LAW 20681 EXPROPRIATES EL COMERCIO, LA PRENSA, CORREO, OHO, ULTIMA HORA, EXPRESO, EXTRA AND THEIR SUBSIDIARIES. (ALTHOUGH UNSPECIFIED BY THE DECREE, THE SUBSIDIARIES INCLUDE CORREO'S PROVINCIAL NEWSPAPERS AND PROBABLY ALSO LA PRENSA'S POPULAR MAGAZINE, SIETE DIAS). THE NEWSPAPERS ARE TO BE TURNED OVER TO THE POPULAR SECTORS AS REPORTED REFTEL. MANAGEMENT COMMITTEES ARE ASSIGNED TO EACH PAPER FOR ONE YEAR PENDING TURNOVER TO POPULAR SECTOR ASSOCIATIONS. AFTER THE GOVERNMENT'S NATIONAL SUPERVISORY COMMISSION OF CORPORATIONS AND SECURITIES UNCLASSIFIED

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DETERMINES THE VALUE OF NEWSPAPER COMPANY STOCK, FORMER OWNERS ARE TO RECEIVE 10 PERCENT IN CASH AND THE REST IN TEN EQUAL ANNUAL INSTALLMENTS. THE UNPAID BALANCE WILL BE HELD IN 10 YEAR, 6 PERCENT BONDS. THE OLD INDUSTRIAL COMMUNITIES ARE TO RECEIVE EQUAL PAYMENTS FOR THEIR STOCK IN 1974 AND 1975. NEW INDUSTRIAL COMMUNITIES ARE TO COME INTO EXISTENCE GROUPING THE NEW NEWSPAPER'S WORKERS. THIS DECREE GIVES THE APPOINTED DIRECTORS 90 DAYS TO DECIDE WHETHER TO RETAIN NEWSPAPER WORKERS OR EMPLOY NEW ONES; JOB STABILITY IS GUARANTEED AFTER 90 DAYS.

19. DECREE LAW 20683 ESTABLISHES A COMPANY UNDER THE NATIONAL INFORMATION SYSTEM TO RUN THE GOVERNMENT-OWNED NUEVA CRONICA.

20. THE EMBASSY WILL FORWARD THE FULL TEXT OF THESE DECREES

BY AIRGRAM.
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